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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,196	09/09/2003	Hai Liang	930059-2007	5598

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NEW YORK, NY 10151

EXAMINER

WOOD, KIMBERLY T

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/659,196

Applicant(s)


LIANG, HAI

Examiner

Kimberly T. Wood

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 6-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/30/03.
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. 7/22/04
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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This is an office action for serial number 10/659,196, entitled Quick Ceiling Fan Housing and Canopy installation.

Election/Restrictions

Claims 6-10 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Species II, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on July 8, 2004. The applicant did not include the claims that read on the elected species I therefore, the examiner called the applicant's representative on July 28, 2004 wherein the applicant indicated that claims 1-5 read on the elected species I.

Applicant's election with traverse of Species I in the reply filed on July 8, 2004 is acknowledged. The traversal is on the ground(s) that the search is not burdensome and the invention is independent and distinct. This is not found persuasive because the examiner believes the search would be burdensome since Species I and II are independent and distinct. The examiner believes the species are independent and distinct since finding prior art disclosing an anchoring bracket and housing assembly as disclosed in

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Species I without the spring being in an L-shape resilient C-wire would result in species I being rejected under 35 USC 102 but would cause the examiner to use an additional reference and/or result in a rejection under 35 USC 103 for the species II.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical

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Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Tseng 6,726,169. Tseng discloses a fan anchoring bracket (figure 3), a hook-up means (152) being pins, a lock-up means (4) being a locking plate (43 or 41 or 142), a pin (44 and 411), a coil spring (42) , a fan housing (3).

Claim 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Tseng 6,726,169. Tseng discloses all of the limitations of the claimed invention except for the pin having a round-headed cone. It would have been an obvious matter of engineering choice to have made the pin having a round head cone, since such a modification would have involved a mere change in the shape of a component. A change in shape is generally recognized as being within the level of ordinary skill in the art since the applicant has not shown how the chosen shape is critical.

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Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu 6,171,061. Hsu discloses a fan anchoring bracket (21), a hook-up means (218, 216, 217) being a pin, a lock-up means (the other 218, 216, and 217) being a locking plate (212), a pin (218), a coil spring (near 216), a fan housing (22).

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu 6,171,061 in view of Duncan 6,585,215. Hsu discloses all of the limitations of the claimed invention except for the pin protruding therefrom the coil spring and the pin being a round-headed cone. Duncan teaches that it is known to have a pin protruding from a coil spring and the spring urging the pin against corresponding hole (figures 1A, 1B, 4A, and 4B elements 34, 38, 36). It would have been obvious to one having ordinary skill in the art to have modified Hsu to have included the pin and spring arrangement as taught by Duncan for a more secure means of attachment. It would have been an obvious matter of engineering choice to have made the pin having a round head cone, since such a modification would have involved a mere change in the shape of a component. A change in shape is generally recognized as being within the

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level of ordinary skill in the art since the applicant has not shown how the chosen shape is critical.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

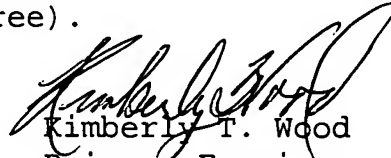
The prior art discloses conventional fan anchoring brackets and housing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly T. Wood whose telephone number is 703-308-0538. The examiner can normally be reached on Monday-Thursday 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie Braun can be reached on 703-308-2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kimberly T. Wood
Primary Examiner
Art Unit 3632

August 9, 2004